than $750,000. Small agricultural service firms, which include handlers regulated under the order, are defined as those with annual receipts of less than $6,000,000.

Industry and USDA statistics indicate that there are approximately 1,850 pear growers in Oregon and Washington. Of that total, 1,345 growers report fresh Bartlett pear production. There are 55 handlers that handle fresh Bartlett pears produced in Oregon and Washington.

According to the *Non-citrus Fruits and Nuts 2004 Summary* issued in July 2005 by the National Agricultural Statistics Service, the total farm gate value of fresh Bartlett pears grown in Oregon and Washington for 2004 was $41,371,000. Therefore, the 2004 average gross revenue for a fresh Bartlett pear grower in Oregon and Washington was $30,759. Based on records of the Committee and recent f.o.b. prices for pears, over 76 percent of the handlers ship less than $6,000,000 worth of pears on an annual basis. Thus, it can be concluded that the majority of growers and handlers of Oregon and Washington fresh Bartlett pears may be classified as small entities.

This final rule terminates the marketing order covering fresh Bartlett pears grown in Oregon and Washington and the rules and regulations established under the order.

On May 21, 2005, Marketing Order No. 927 was amended to include regulatory authority over Bartlett pears grown in Oregon and Washington, historically regulated by the order. Washington and Oregon pear growers voting in a mail referendum held March 22 through April 8, 2005, favored the consolidation of the two marketing orders into one program.

On September 8, 2005, at a NWFBPMC telephone meeting, committee members motioned and voted to terminate the order. A record of the members voting, and confirmation in writing of the votes by each member as required by the NWFBPMC Bylaws regarding mail ballots, was submitted to USDA on September 28, 2005. The record indicates that the NWFBPMC voted unanimously in favor of terminating the order and transferring the program's assets to the Fresh Pear Committee, newly established under Marketing Order No. 927.

Given that the provisions of the order have been incorporated into Marketing Order No. 927 and that the handling of fresh Bartlett pears will continue to be regulated under Marketing Order No. 927, USDA has determined that small growers or handlers will not be unduly or disproportionately burdened by the termination of this order. The termination reflects a shift in the regulatory oversight of fresh Bartlett pears from Marketing Order No. 931 to Marketing Order No. 927.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the information collection requirements being terminated by this rule were previously approved by the Office of Management and Budget (OMB) under OMB No. 0581–0189, ''Generic OMB Fruit Crops.'' The total annual reporting burden for Fresh Bartlett Pears Grown in Oregon and Washington is 904.62 burden hours. The information collection for fresh Bartlett pears (Marketing Order No. 931) will be incorporated with Marketing Order No. 927, Pears Grown in Oregon and Washington (formerly Winter Pears Grown in Oregon and Washington), which is also part of the Generic OMB Fruit Crops package.

USDA has not identified any relevant Federal rules that duplicate, overlap or conflict with this final rule.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: *http://www.ams.usda.gov/fv/moab.html*. Any questions about the compliance guide should be sent to Jay Guerber at the previously mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

It is further found that it is impractical, unnecessary, and contrary to the public interest to give preliminary notice, and that good cause exists for not postponing the effective date of this rule until 30 days after publication in the **Federal Register** (5 U.S.C. 553) because: (1) This action relieves restrictions on handlers by terminating the requirements of the marketing order; (2) handlers were given notice of amendments made to Federal Marketing Order No. 927 on May 21, 2005, which now regulates all pears grown in Oregon and Washington; and (3) no useful purpose would be served by delaying the effective date.

After consideration of all relevant matter presented it is hereby found that the order, and the rules and regulations in effect under the order, no longer tend to effectuate the declared policy of the Act and, therefore, are terminated.

List of Subjects in 7 CFR Part 931

Marketing agreements, Pears, Reporting and recordkeeping requirements.

PART 931—[REMOVED]

■ For the reasons set forth in the preamble, and under the authority of 7 U.S.C. 601–674, 7 CFR part 931 is removed.

Dated: December 21, 2005.

Lloyd C. Day,

Administrator, Agricultural Marketing Service.

[FR Doc. 05–24487 Filed 12–23–05; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2005–23382; Directorate Identifier 2005–NM–221–AD; Amendment 39–14428; AD 2005–26–07]

RIN 2120–AA64

Airworthiness Directives; Airbus Model A318–100, A319–100, A320–200, A321–100, and A321–200 Series Airplanes; and Model A320–111 Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule; request for comments.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all Airbus Model A318–100, A319–100, A320–200, A321–100, and A321–200 series airplanes; and Model A320–111 airplanes. This AD requires revising the airplane flight manual by incorporating new procedures to follow in the event of a fuel leak. This AD results from a determination that, once a fuel leak is detected, fuel management procedures are a critical factor in limiting the consequences of the leak. We are issuing this AD to ensure that the flightcrew is advised of appropriate procedures to follow in the event of a fuel leak, such as isolating the fuel tanks, stopping any fuel transfers, and landing as soon as possible. Failure to follow these procedures could result in excessive fuel loss that could cause the engines to shut down during flight.

DATES: This AD becomes effective January 11, 2006.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the AD as of January 11, 2006.

We must receive comments on this AD by February 27, 2006.

ADDRESSES: Use one of the following addresses to submit comments on this AD.

• *DOT Docket Web site:* Go to *http://dms.dot.gov* and follow the instructions for sending your comments electronically.

• *Government-wide rulemaking Web site:* Go to *http://www.regulations.gov* and follow the instructions for sending your comments electronically.

• *Mail:* Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street SW., Nassif Building, Room PL–401, Washington, DC 20590.

• *Fax:* (202) 493–2251.

• *Hand Delivery:* Room PL–401 on the plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Contact Airbus, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France, for service information identified in this AD.

FOR FURTHER INFORMATION CONTACT: Tim Dulin, Aerospace Engineer, International Branch, ANM–116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2141; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION:

Discussion

The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, notified us that an unsafe condition may exist on all Airbus Model A318–100, A319–100, A320–200, A321–100, and A321–200 series airplanes; and Model A320–111 airplanes. The DGAC advises of an incident in which an Airbus A330–200 series airplane was diverted due to an extensive fuel leak. During the diversion, both engines shut down due to lack of fuel. The airplane made a successful emergency landing. This event and a subsequent review of major fuel leaks demonstrated that, after a fuel leak is detected, the flightcrew's fuel management procedures are a critical factor in limiting the consequences of a fuel leak. Failure to follow proper procedures in the event of a fuel leak could result in excessive fuel loss that could cause the engines to shut down during flight.

The fuel systems on Airbus Model A318–100, A319–100, A320–200, A321–100, and A321–200 series airplanes; and Model A320–111 airplanes; is similar to that on the affected Model A330–200 series airplane. Therefore, Airbus Model A318–100, A319–100, A320–200, A321–100, and A321–200 series airplanes; and Model A320–111 airplanes; may be subject to the unsafe condition revealed on the Model A330–200 series airplane.

Relevant Service Information

Airbus has issued the temporary revisions (TRs) to the Limitations section of the A318/A319/A320/A321 Airplane Flight Manual (AFM) listed in the table below.

AIRBUS AFM TRS

Affected Airbus Airplane Models/Series	AFM TR	Date
A320–111 airplanes and A320–200 series airplanes on which Airbus Modification 20024 has not been done.	4.02.00/28	February 21, 2005.
A320–111 airplanes; and A318–100, A319–100, and A320–200 series airplanes; on which Airbus Modification 20024 has been done.	4.02.00/29	February 22, 2005.
A321–100 and A321–200 series airplanes	4.02.00/30	February 23, 2005.

The TRs describe new procedures to follow in the event of a fuel leak. These procedures involve isolating the fuel tanks and stopping any fuel transfers in order to determine the location of a fuel leak, and landing as soon as possible. The DGAC mandated the TRs and issued French airworthiness directive F–2005–165, dated September 28, 2005, to ensure the continued airworthiness of these airplanes in France.

FAA's Determination and Requirements of This AD

These airplane models are manufactured in France and are type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the DGAC has kept the FAA informed of the situation described above. We have examined the DGAC's findings, evaluated all pertinent information, and determined that we need to issue an AD for products of this type design that are certificated for operation in the United States.

Therefore, we are issuing this AD to ensure that the flightcrew is advised of appropriate procedures to follow in the event of a fuel leak. Failure to follow these procedures could result in excessive fuel loss that could cause the engines to shut down during flight. This AD requires revising the AFM to include the TRs described previously.

Differences Between the AD and French Airworthiness Directive

The French airworthiness directive requires revising the AFM before further flight. This AD requires revising the AFM within 15 days after the effective date of the AD. In developing an appropriate compliance time for this AD, we considered the DGAC's recommendation in the French airworthiness directive and the degree of urgency associated with the subject unsafe condition. In light of all of these factors, we find that a 15-day compliance time represents an appropriate interval of time for affected airplanes to continue to operate without compromising safety.

FAA's Determination of the Effective Date

An unsafe condition exists that requires the immediate adoption of this AD; therefore, providing notice and opportunity for public comment before the AD is issued is impracticable, and good cause exists to make this AD effective in less than 30 days.

Comments Invited

This AD is a final rule that involves requirements that affect flight safety and was not preceded by notice and an opportunity for public comment; however, we invite you to submit any relevant written data, views, or arguments regarding this AD. Send your comments to an address listed in the **ADDRESSES** section. Include ''Docket No. FAA–2005–23382; Directorate Identifier 2005–NM–221–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the AD that might suggest a need to modify it.

We will post all comments we receive, without change, to *http://dms.dot.gov,* including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this AD. Using the search function of that Web site, anyone can find and read the comments in any of our dockets, including the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.).

You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78), or you may visit *http://dms.dot.gov.*

Examining the Docket

You may examine the AD docket on the Internet at *http://dms.dot.gov,* or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647–5227) is located on the plaza level of the Nassif Building at the DOT street address stated in the **ADDRESSES** section. Comments will be available in the AD docket shortly after the Docket Management System receives them.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in subtitle VII, part A, subpart III, section 44701, ''General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We have determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that the regulation:

1. Is not a ''significant regulatory action'' under Executive Order 12866;

2. Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and

3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD docket. See the **ADDRESSES** section for a location to examine the regulatory evaluation.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The Federal Aviation Administration (FAA) amends § 39.13 by adding the following new airworthiness directive (AD):

2005–26–07 Airbus: Amendment 39–14428. Docket No. FAA–2005–23382; Directorate Identifier 2005–NM–221–AD.

Effective Date

(a) This AD becomes effective January 11, 2006.

Affected ADs

(b) None.

Applicability

(c) This AD applies to all Airbus Model A318–111, A318–112, A319–111, A319–112, A319–113, A319–114, A319–115, A319–131, A319–132, A319–133, A320–111, A320–211, A320–212, A320–214, A320–231, A320–232, A320–233, A321–111, A321–112, A321–131, A321–211, and A321–231 airplanes; certificated in any category.

Unsafe Condition

(d) This AD results from a determination that, once a fuel leak is detected, fuel management procedures are a critical factor in limiting the consequences of the leak. We are issuing this AD to ensure that the flightcrew is advised of appropriate procedures to follow in the event of a fuel leak, such as isolating the fuel tanks, stopping any fuel transfers, and landing as soon as possible. Failure to follow these procedures could result in excessive fuel loss that could cause the engines to shut down during flight.

Compliance

(e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

Airplane Flight Manual (AFM) Revision

(f) Within 15 days after the effective date of this AD, revise the Limitations section of the A318/A319/A320/A321 AFM to include the information in the applicable temporary revision (TR) listed in Table 1 of this AD. Thereafter, operate the airplane according to the limitations and procedures in the applicable TR.

TABLE 1.—AIRBUS AFM TRS

Airbus models	AFM TR	Date
A320–111, A320–211, A320–212, A320–214, A320–231, A320–232, and A320–233 airplanes; on which Airbus Modification 20024 has not been done.	4.02.00/28	February 21, 2005.
A318–111, A318–112, A319–111, A319–112, A319–113, A319–114, A319–115, A319–131, A319–132, A319–133, A320–111, A320–211, A320–212, A320–214, A320–231, A320–232, and A320–233 airplanes; on which Airbus Modification 20024 has been done.	4.02.00/29	February 22, 2005.
A321–111, A321–112, A321–131, A321–211, and A321–231 airplanes	4.02.00/30	February 23, 2005.

Note 1: The action required by paragraph (f) of this AD may be done by inserting in the AFM a copy of the applicable TR listed in Table 1 of this AD. When this TR has been included in general revisions of the AFM, the general revisions may be inserted in the AFM, provided the relevant information in the general revision is identical to that in the applicable TR listed in Table 1 of this AD.

Special Flight Permits

(g) Special flight permits, as described in Section 21.197 (''Special flight permits'') and Section 21.199 (''Issue of special flight permits'') of the Federal Aviation Regulations (14 CFR 21.197 and 21.199), are not allowed.

Alternative Methods of Compliance (AMOCs)

(h)(1) The Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) Before using any AMOC approved in accordance with § 39.19 on any airplane to which the AMOC applies, notify the appropriate principal inspector in the FAA Flight Standards Certificate Holding District Office.

Related Information

(i) French airworthiness directive F–2005–165, dated September 28, 2005, also addresses the subject of this AD.

Material Incorporated by Reference

(j) You must use the documents listed in Table 2 of this AD to perform the actions that are required by this AD, unless the AD specifies otherwise. The Director of the Federal Register approved the incorporation by reference of these documents in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Contact Airbus, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France, for a copy of this service information. You may review copies at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., Room PL–401, Nassif Building, Washington, DC; on the Internet at *http://dms.dot.gov*; or at the National Archives and Records Administration (NARA). For information on the availability of this material at the NARA, call (202) 741–6030, or go to *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html*.

TABLE 2.—MATERIAL INCORPORATED BY REFERENCE

Airbus Temporary Revision to the A318/A319/A320/A321 Airplane Flight Manual	Date
4.02.00/28	February 21, 2005.
4.02.00/29	February 22, 2005.
4.02.00/30	February 23, 2005.

Issued in Renton, Washington, on December 14, 2005.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 05–24344 Filed 12–23–05; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2005–23072; Directorate Identifier 2005–NE–38–AD; Amendment 39–14430; AD 2005–26–09]

RIN 2120–AA64

Airworthiness Directives; Pratt & Whitney JT9D–7R4 Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule; request for comments.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for Pratt & Whitney (PW) JT9D–7R4 turbofan engines. This AD requires inspection of the blade root thickness of 1st stage fan blades identified by part number (P/N) and serial number (SN) in this AD, by a repair station approved by PW to perform the inspection. This AD results from a report that a repair station created their own repair and performed it on 520 1st stage fan blades, without approval from PW. We are issuing this AD to prevent 1st stage fan blade fracture and uncontained engine failure, resulting in possible damage to the airplane.

DATES: This AD becomes effective January 11, 2006.

We must receive any comments on this AD by February 27, 2006.

ADDRESSES: Use one of the following addresses to comment on this AD:

- *DOT Docket Web site:* Go to *http://dms.dot.gov* and follow the instructions for sending your comments electronically.
- *Government-wide rulemaking Web site:* Go to *http://www.regulations.gov* and follow the instructions for sending your comments electronically.
- *Mail:* Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL–401, Washington, DC 20590–0001.
- *Fax:* (202) 493–2251.
- *Hand Delivery:* Room PL–401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Kevin Donovan, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803–5299; telephone (781) 238–7743, fax (781) 238–7199.

SUPPLEMENTARY INFORMATION: In May 2005, we received a report from Airfoil Technologies International (ATI), of the United Kingdom, that their repair station created their own repair and performed it on 520 1st stage fan blades, without approval from PW. The repairs were made to a critical area of the fan blade root. PW requires source demonstration by each repair station before they approve the repair station to perform blade repairs, including the repair that should have been performed to these 1st stage fan blades, known as Repair-23. This requirement exists due to PW's concern with proper blending in a critical area of the blade root. This condition, if not corrected, could result in 1st stage fan blade fracture and uncontained engine failure, resulting in possible damage to the airplane.

FAA's Determination and Requirements of this AD

The unsafe condition described previously is likely to exist or develop on other PW JT9D–7R4 turbofan engines of the same type design. For that reason, we are issuing this AD to prevent 1st stage fan blade fracture and uncontained engine failure, resulting in possible damage to the airplane. This AD requires, before installing the 1st stage fan blades that are listed by P/N and SN in Table 1 of this AD, or if already installed, at the next 1st stage fan blade exposure:

- Checking the 1st stage fan blade for a circled, letter I, on the approved marking area of the outboard side of the blade platform. If the blade has this marking, no further action is required.
- Removing 1st stage fan blades without a circled, letter I, on the approved marking area of the outboard side of the blade platform if installed; and
- Sending 1st stage fan blades to a source-substantiation-approved repair station, approved by PW, for inspection of the blade root thickness; and
- Returning to service 1st stage fan blades that pass the inspection, after properly marking the blade.

FAA's Determination of the Effective Date

Since an unsafe condition exists that requires the immediate adoption of this AD, we have found that notice and opportunity for public comment before issuing this AD are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

This AD is a final rule that involves requirements affecting flight safety and was not preceded by notice and an opportunity for public comment; however, we invite you to send us any written relevant data, views, or arguments regarding this AD. Send your comments to an address listed under **ADDRESSES.** Include ''AD Docket No. FAA–2005–23072; Directorate Identifier 2005–NE–38–AD'' in the subject line of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify it.

We will post all comments we receive, without change, to *http://*